

IN THE SENATE OF THE UNITED STATES.

APRIL 15, 1858.—Ordered to be printed.

Mr. BENJAMIN made the following

REPORT.

[To accompany Bill S. 264.]

*The Committee on Private Land Claims, to whom was referred the petition of Alexander Copeland for confirmation of title to four hundred and eighty acres of land in Sonora county, California, report :*

The Mexican government granted, on the 7th July, 1844, a tract of land of four leagues square, lying in Sonora county, California, and known as the "Cotate" estate. This tract passed by *mesne* conveyance to a certain J. W. Hudspeth, who, on the 29th April, 1852, conveyed to the petitioner a portion thereof, included within one (Spanish) mile square, containing four hundred and eighty acres, described by proper boundaries, and expressly excepted from all subsequent conveyances of the Cotate estate.

The remainder of this tract of land passed, by *mesne* conveyances, to a certain Thomas S. Page, who filed his claim for confirmation of title thereto before the commission for the settlement of private land claims in California, and the title to the Cotate estate, with the express exception and exclusion of the portion thereof claimed by the petitioner, Copeland, was confirmed by the report of the commission and by the decree of the district court for the eastern district of California.

The petitioner alleges that he consulted counsel as to filing his petition for confirmation of title before the commission ; but was advised that, as his title was deduced from the same grant as the Cotate estate, it would be included within the confirmation of title made to that estate. Before, however, he had ascertained his error, or had an opportunity to correct it, the commission concluded its session and adjourned. But it does not appear that any adverse claim to the lands held by the petitioner, Copeland, was presented to the board, and two of the gentlemen who belonged to the commission certify that the commission confirmed title to that portion of the Cotate estate which was represented without prejudice to that which was not.

From this it appears that the petitioner has failed from ignorance,

or bad advice, to avail himself of the means provided by Congress for the confirmation of his title; but he appears to be the owner *bona fide* of the land claimed in his petition. He has erected buildings upon the land, and resided there for many years past, and no adverse claimant seems to have contested the original concession of title to it.

The committee, therefore, do not hesitate to recommend the confirmation of title to the land claimed by the petitioner, as well as that all right, title, and interest which the United States might have thereon shall be released to him, and they respectfully submit to the Senate a bill prepared in conformity with this report.